

Message

---

**From:** Casey, Randy [randy.casey@dmme.virginia.gov]  
**Sent:** 6/6/2018 8:45:02 PM  
**To:** McGuigan, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c088500566bd4bccbf37b91ed9a8cc3c-Dmcguiga]  
**Subject:** Re: Response to Workplan

David,

I spoke with Butch and he said the underdrain issue had been put on hold until the TMDL issue had been resolved, i.e., how to handle the waste load from underdrains after pond removal and that would be worked out between DMME and DEQ on future TMDL's. Also, we believe that since Red River is related to the underdrain issue, a response from us would be premature or not necessary at this time.

On Wed, Jun 6, 2018 at 4:27 PM, McGuigan, David <[McGuigan.David@epa.gov](mailto:McGuigan.David@epa.gov)> wrote:

Randy,

Yes, we understand that there was a meeting between DMME, VaDEQ, OW and Region III. We have only been told that topic of discussion was valley fill underdrains, and that OW has been tasked to evaluate the issue. We also have in play the Red River Coal citizens suit which I believe is in discovery. I reviewed the plan and the only mention of this topic regarding our activities was as follows:

- If necessary, EPA will work with VA DMME on the development of an NPDES permit for the valley fill facilities where Virginia has removed instream ponds where discharges occur through man-made conveyances following consultation with EPA Headquarters.

As you see, it is conditioned with "If necessary....following consultation with EPA Headquarters". It seems to me that this is consistent with the meeting outcome.

There is also mentioned in the area issues to be addressed the following:

NPDES permitting of discharges from bond released mining activities and Outstanding Red River Coal specific objection.

We will modify this to read,

*Following consultation with HQ, if necessary, NPDES permitting of discharges from bond.....*

As I did not attend the meeting, if this is inconsistent with the direction established or if there were other topics decided that effected the work plan could you please let me know.

David

**From:** Casey, Randy [mailto:[randy.casey@dmme.virginia.gov](mailto:randy.casey@dmme.virginia.gov)]  
**Sent:** Wednesday, June 6, 2018 4:06 PM  
**To:** McGuigan, David <[McGuigan.David@epa.gov](mailto:McGuigan.David@epa.gov)>  
**Subject:** Response to Workplan

David,

In response to the EPA Workplan, it is my understanding that some or many of the topics in the Plan may have been tabled or resolved during the meeting recently in Richmond with DMME, DEQ, and EPA, especially with regard to underdrains. We had prepared a response, but were waiting on the outcome of the meeting and getting directions from Butch, our Deputy Director, who was in attendance.

In light of the meeting, is there a need for EPA to amend or fine tune the Workplan?

--

*Randy R. Casey, P.E.*

*Director, Division of Mined Land Reclamation*

*Department of Mines, Minerals, and Energy*

*Big Stone Gap, VA 24219*

*Phone: 276-523-8286*

--

*Randy R. Casey, P.E.*

*Director, Division of Mined Land Reclamation*

*Department of Mines, Minerals, and Energy*

*Big Stone Gap, VA 24219*

*Phone: 276-523-8286*